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Atty. Dkt. No. 031890-1754

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Carlson et al.
Title: Shape Cutting System
Appl. No.: 10/791,069
Filing Date: March 2, 2004
Examiner: Madeline Gonzalez
Art Unit: 2859

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Alterra Holdings Corporation, having its principal place of business at 14200 Southwest 72nd Avenue, Portland, Oregon 97224, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/791,069, filed 03/02/2004, which is a continuation of U.S. Patent Application No. 09/769,683, filed 01/25/2001, by virtue of an Assignment filed and recorded on 04/30/2001, on Reel/Frame 011757/0779, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent No. 6,722,051, which issued on U.S. Patent Application No. 09/769,683, filed January 25, 2001, by virtue the same assignment.

Your Petitioner, Alterra Holdings Corporation, hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 6,722,051, and hereby agrees that any patent so granted on the above identified patent application shall be

enforceable only for and during such period that the legal title to U.S. Patent 6,722,051 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 6,722,051 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 6,722,051 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 6,722,051 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 6,722,051, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDIX A, and to the best of his knowledge and belief, legal title to the above identified patent application and U.S. Patent 6,722,051 rests with Petitioners, Alterra Holdings Corporation. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and

the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

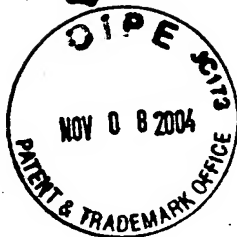
Respectfully submitted,

Date March 3, 2004

By MJB

FOLEY & LARDNER LLP
321 NORTH CLARK STREET
CHICAGO, IL 60610-4764
Telephone: (312) 832-4358
Facsimile: (312) 832-4700

Marshall J. Brown
Attorney for Applicant
Registration No. 44,566



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FOLEY & LARDNER
MICHAEL D. RECHTIN
330 NORTH WABASH AVENUE
SUITE 3300, ONE IBM PLAZA
CHICAGO, ILLINOIS 60611-3608

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
CARLSON, CHRISTOPHER R.

DOC DATE: 02/08/2001

ASSIGNOR:
SCHULZ, WILLIAM J.

DOC DATE: 02/07/2001

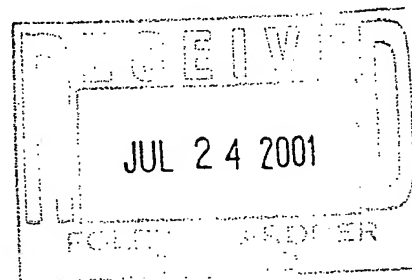
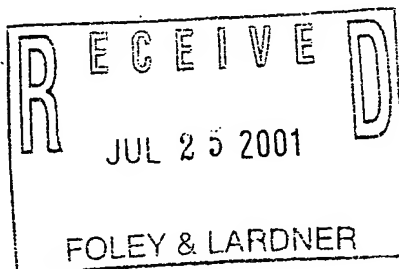
ASSIGNOR:
FOGHT, JAMIESON

DOC DATE: 02/07/2001

ASSIGNEE:
ALTERRA HOLDINGS CORPORATION
14200 SOUTHWEST 72ND AVENUE
PORTLAND, OREGON 97224

SERIAL NUMBER: 09769683
PATENT NUMBER:

FILING DATE: 01/25/2001
ISSUE DATE:



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011757/0779 PAGE 2

ALLYSON PURNELL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

05-08-2001



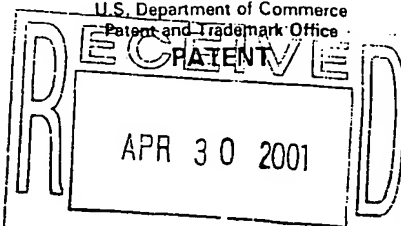
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Name (line 1) Carlson, Christopher R.

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Month Day Year

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Name (line 2)

Second Party

Name (line 1) Schulz, William J.

Effective Date
Month Day Year

02072001

Name (line 2)

Receiving Party

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Name (line 1) Alterra Holdings Corporation

Name (line 2)

Address (line 1) 14200 Southwest 72nd Avenue

Address (line 2)

Address (line 3) Portland

Oregon

97224

City

State/Country

Zip Code

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Correspondent Name and Address

Area Code and Telephone Number

(312) 755-1900

Name Michael D. Rechtin

Address (line 1) Foley & Lardner

Address (line 2) 330 North Wabash Avenue

Address (line 3) Suite 3300, One IBM Plaza

Address (line 4) Chicago, Illinois 60611-3608

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Michael D. Rechtin

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Reg. No. 30,128

Signature

April 26, 2001

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Effective Date
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Name (line 2)

Effective Date
Month Day Year

Name (line 1)

Name (line 2)

Name (line 1)

Name (line 2)

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Patent Application Number(s)

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ASSIGNMENT

WHEREAS, we, the undersigned joint inventors, of residence as listed, having invented certain new and useful improvements as below entitled, for which application for United States Letters Patent is made, said application ~~having~~ been executed on the date set forth below; and

WHEREAS, Alterra Holdings Corporation (hereinafter referred to as "Assignee"), a corporation of the State of Delaware, with an address of 14200 Southwest 72nd Avenue, Portland, Oregon 97224, desires to acquire our entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we assign to Assignee, all right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all divisions, reissues, continuations, continuations-in-part and extensions thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as our interest is concerned, to Assignee.

We also assign to Assignee, all right, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in Assignee's own name throughout the world including all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee.

We will communicate to Assignee any facts known to us respecting any improvements; and, at the expense of Assignee, we will testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make lawful oaths and declarations, and generally do everything possible to vest title in Assignee and to aid Assignee to obtain and enforce proper protection for said invention in all countries.

This Assignment shall be binding on the parties' successors, assigns and legal representatives.

Title of Invention: SHAPE CUTTING SYSTEM

Attorney's Docket No.: 031890/I596

Signature of Inventor:



Inventor's Name:

Christopher R. Carlson

Residence (City, State)

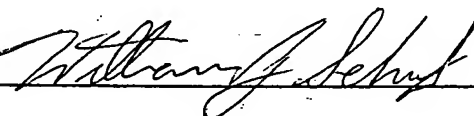
Wausau, Wisconsin

Date:

2/8/01

Date Application Executed:

Signature of Inventor:



Inventor's Name:

William J. Schulz

Residence (City, State)

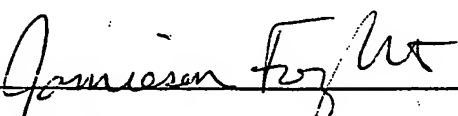
Mosinee, Wisconsin

Date:

2/7/01

Date Application Executed:

Signature of Inventor:



Inventor's Name:

Jamieson Foght

Residence (City, State)

Wausau, Wisconsin

Date:

2/7/01

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